

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	09/982,337	Confirmation No.	6724
Appellants	:	Todd Ouzts, et al.		
Filed	:	10/18/2001		
Group Art Unit	:	2173		
Examiner	:	Dennis G. Bonshock		
Title	:	METHOD FOR GRAPHICAL REPRESENTATION OF A CONTENT		
	:	COLLECTION		
Atty. Docket No.	:	148466.01/MFCP.88143		
Customer No.	:	45809		

**VIA EFS – 13 November 2007**

**AMENDED APPEAL BRIEF**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

This is an Amended Appeal Brief responding to the Notice of Non-Compliant Appeal Brief mailed on 30 October 2007. In the Amended Appeal Brief, a replacement section for the “SUMMARY OF THE CLAIMED SUBJECT MATTER” section is provided.

At page 7 of the Appeal Brief filed on 17 August 2007, please replace the “SUMMARY OF THE CLAIMED SUBJECT MATTER” section with the following:

## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

The instant Application includes four independent claims: 1, 9, and 15-16. Dependent claims 17, 18, 19, and 20 are argued separately.

### **Claim 1**

Independent claim 1 defines a method that is used by a computer having a graphical operating environment. The graphical operating environment provides a collection of items **206** within a container **200**, where the container **200** includes an outer appearance **202**. *Appellants' Specification at p. 10, ll. 17-20.* The method enumerates the items **206** that exist within the container **200**. *Appellants' Specification at p. 13, ll. 10-12.* For each enumerated item **206** within the container **200**, the method determines whether a graphical preview can be generated. *Appellants' Specification at p. 13, ll. 14-17.* A list is generated to identify each item **204** for which a graphical preview can be generated. *Appellants' Specification at p. 14, ll. 4-8.* In turn, the method selects, from the list, a desired number of items **206** to display on the outer appearance **202** of the container **200** based upon a sort criteria, wherein the sort criteria selects the items **204** based upon those items **206** which were most recently modified in some way. *Appellants' Specification at p. 14, ll. 9-23.* The method displays the graphical previews for each of the selected items **206** on the outer appearance **202** of the container **200**, wherein the graphical previews are not folders, and the graphical previews are generated by a thumbnail extractor based on extensions associated with the selected items. *Appellants' Specification at p. 16, ll. 10-20.* The graphical previews are located in a desired location on the outer appearance **202** of the container **200** to enable a computer user to quickly identify the contents

of the container **200** without opening the container **200**. *Appellants' Specification at p. 13, ll. 10-15 and p. 15, ll. 11-15.*

#### **Claim 9**

Independent claim 9 defines a method that is used by a computer system to display less than all of a collection of content items within a container. The method displays a background appearance **202** for the collection of content items **206**. *Appellants' Specification at p. 10, ll. 17-20.* In turn, the method determines if any of the collection of content items **206** can be graphically represented. *Appellants' Specification at p. 13, ll. 14-17.* When some of the collection of content items **206** can be graphically represented, the method sorts the content items **206** that can be graphically represented based on a sort criteria and the sorted content items **206** are displayed on the background appearance **202** for the collection of content items **206**. *Appellants' Specification at p. 14, ll. 9-23.* A textual message is also displayed on the background appearance **202** having the sorted content items **206**. *Appellants' Specification at p. 12, ll. 18-20.*

#### **Claim 15**

Independent claim 15 defines a computer system for displaying less than all of a collection of content items on a display using a graphical operating environment. The graphical operating environment of the computer system includes an item collection manager for providing a collection of content items **206** within a container **200**, the container **200** having a background appearance **202**. *Appellants' Specification at p. 13, ll. 9-12.* Additionally, the graphical operating environment includes a container display provider for sorting the collection of content items **206** based on a sort criteria and displaying graphical previews of the sorted content items **206**, without displaying all content items **206**, on the background appearance **202** of the container **200**. *Appellants' Specification at p. 13, l. 13-p.*

14, l. 20. The container display provider also displays a textual message on the background appearance **202** of the container 200 to enable a computer user to more easily identify the contents of the container **200** without opening the container **200**. *Appellants' Specification at p. 12, ll. 18-20.*

#### **Claim 16**

Independent claim 16 as currently amended defines a computer system for displaying a collection of content items on a display using a graphical operating environment. The graphical operating environment of the computer system includes a background appearance rendering component for the collection of content items **206**. *Appellants' Specification at p. 15, ll. 10-13.* Additionally, the graphical operating environment includes a graphical preview rendering component for determining if any of the collection of content items **206** can be graphically represented. *Appellants' Specification at p. 13, l. 10-p. 14, l. 13.* For content items **206** that can be graphically represented, the graphical preview rendering component sorts the content items 206 and renders graphical previews of the sorted content items **206** that can be graphically represented on a background appearance **202**. *Id.* Additionally, the graphical preview rendering component displays a textual message in addition to the background appearance **202** and the graphical previews. *Appellants' Specification at p. 12, ll. 18-20.* The graphical operating environment also includes a thumbnail extractor that generates the graphical previews based on the extensions associated with at least one of any of the collection of content items **206**, wherein the graphical preview are not folders. *Appellants' Specification at p. 16, ll. 10-23.*

**Claim 17**

Dependent claim 17 depends from independent claim 1 and indicates that the graphical previews are pictorial representations **204** of one or more images associated with the at least one item **206**. *Appellants' Specification at p. 12, l. 20-15 p. 13, l. 20.*

**Claim 18**

Dependent claim 18 depends from independent claim 9 and indicates that the graphical previews are pictorial representations **204** of one or more images associated with the at least one of the content item **206**. *Appellants' Specification at p. 12, l. 20-15 p. 13, l. 20.*

**Claim 19**

Dependent claim 19 depends from independent claim 15 and indicates that the graphical previews are pictorial representations **204** of one or more images associated with the at least one item **206**. *Appellants' Specification at p. 12, l. 20-15 p. 13, l. 20.*

**Claim 20**

Dependent claim 20 depends from independent claim 1 and indicates that the graphical previews are pictorial representations **204** of one or more images associated with the at least one of any of the collection of content items **206**. *Appellants' Specification at p. 12, l. 20-15 p. 13, l. 20.*

## REMARKS

Appellant respectfully submits the above replacement sections to fully comply with 37 C.F.R. §41.37 and to respond to the Notice of Non-Compliant Appeal Brief mailed on 30 October 2007. Appellant respectfully request entry of this amended appeal brief. If there are any questions regarding this amended appeal brief or the application in general, a telephone call to the undersigned would be appreciated, since this should expedite the prosecution of the application for all concerned.

Additionally, Appellants respectfully reiterate that claims 1, 5-7, 9-12, and 15-20 are in condition for allowance. As such, Appellants respectfully request that the rejection of the claims be reversed and that a timely Notice of Allowance be issued in this case. Should there be any unresolved matters, please contact the undersigned.

Respectfully submitted,

Date: 13 November 2007.

/MONPLAISIR HAMILTON/

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